

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

David Stevenson Boyd, II,

Plaintiff,

v.

Greenville County Sheriff's Department,
Greenville County, David William Weiner, and
John Does #1 – 5,

Case No.: 6:12-cv-01039-TMC

Defendants.

CONSENT ORDER

This matter comes before me upon motion of the defendant. I find based upon the consent of the parties hereto, that the plaintiff's second, third, fourth, and fifth causes of action are hereby dismissed with prejudice. I further find that with respect to the plaintiff's first cause of action that the parties consent to dismiss with prejudice any claims against the Greenville County Detention Center and Greenville County as well as any claims arising out of the incarceration of the plaintiff at the Greenville County Detention Center. I further find that the parties consent to dismiss all defendants with prejudice except Defendant David William Weiner.

The only claim the plaintiff is asserting in this action is a claim against Defendant David William Weiner for excessive force relating to the plaintiff's arrest on December 10, 2008. All other claims set forth in the plaintiff's Complaint are dismissed with prejudice, and all defendants except Defendant David William Weiner are also dismissed with prejudice.

Therefore, based upon the consent of the parties, it is ORDERED, ADJUDGED, AND DECREED that the plaintiff's second, third, fourth, and fifth causes of action are dismissed with prejudice.

It is further ORDERED, ADJUDGED, AND DECREED that with the exception of an excessive force claim against David William Weiner for his action on December 10, 2008, all other claims set forth in the plaintiff's Complaint are dismissed with prejudice and all other defendants, with the exception of Defendant David William Weiner, are dismissed from this action with prejudice.

IT IS SO ORDERED.

s/Timothy M. Cain
Timothy M. Cain
UNITED STATES DISTRICT JUDGE

October 9, 2012

WE CONSENT:

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